

# Public Ledger

FIRST YEAR.

MAYSVILLE, KY., MONDAY, MAY 9, 1892.

ONE CENT.

## OUR TRAMP ABOUT THE CITY.



### KENTUCKY WEATHER REPORT.

What We May Expect Between This Time and To-morrow Evening.

U. S. WEATHER BUREAU.  
WASHINGTON, D. C., May 9, 1892.  
Special to THE PUBLIC LEDGER.

Showers, preceded by fair weather in the Eastern portion of the state.

The above forecasts are made for period of thirty-six hours, ending at 5 o'clock to-morrow evening.



### WHERE'S THE OBEDIENCE?

Now the corner loafers gather  
And the cheery maids pass  
And the gutter-sweepers assemble  
At each corner of the street;  
And by clock and gait they're proving  
That each one of them's a dog,  
By their impudence and conduct,  
When they see a lady pass.

### Personal Mention.

If you have friends visiting you, or if you are going away on a visit, please drop us a note to that effect.

Homey Young of Carlisle was in Maysville yesterday.

Charles Ott of Cincinnati spent yesterday in Maysville.

George Forman of Cincinnati spent yesterday with relatives in this county.

Mrs. E. K. Ramsey of Ripley is here visiting her children and grandchildren.

Miss Martha Wheatley of Cincinnati spent yesterday with friends in this city.

James B. Thomas, representing Hood, Foulkrod & Co., Philadelphia, is in the city.

Mrs. M. T. Hough of Cincinnati was here yesterday on a visit to her brother, L. Hill.

Harry Wardsworth left Saturday night for Charleston, S. C., on professional business.

James H. Hall has gone to Atlanta, Ga., to attend the Southern Baptist Association.

John H. Ramsey of Cincinnati spent yesterday here with his sister, Mrs. Chris Brown.

Miss Lizzie Burrows of Forest avenue is visiting Mrs. W. P. Thompson of the Mayfield neighborhood.

Miss Tillie Chambers arrived from Lexington Saturday to visit her sister, Mrs. George C. Goggin, at Washington.

L. J. Stickley has returned from Fayette county, where he has been painting the residence of L. O. Stred.

Mrs. James H. Hall and daughter, Miss Susie Huston Hall, were registered at the Gibson House, Cincinnati, Saturday.

John A. Fisher, formerly of Maysville, now of Florence, Kansas, called on THE LEDGER this morning. He was on his way to attend a reunion of his old comrades of Company A, Second Ohio, veterans of the Mexican War, which will be held at Chillicothe May 11th and 12th.

J. S. Ratcliffe has been appointed Postmaster at Resort, Carter county.

Mrs. PATTY LUSCOMB of Richmond, at the age of 90, is on a visit to Lexington.

T. W. SHEPHERD has been appointed Postmaster at Sanford, Fleming county.

Our Flemingburg friends will this week organize a Lodge of Knights of Pythias.

Miss MARY SHRE was died at Eminence from burns received by her clothing catching fire.

MARRIED, in Covington, at the residence of Mrs. Rawlin 481 Bakewell street, to-day at 12 o'clock, Mr. John W. Layton to Miss Lucie Overley both of this city. Rev. W. S. Priest officiating. No cards.

### IT WAS ACCIDENTAL DROWNING.

The Coroner's Jury Says That Was How Samuel Clayton's Life Ended.

Saturday afternoon about half-past three, Samuel Clayton, a colored boy, nine years old, was drowned in the back waters of Limestone Creek, under the Second street bridge. He was playing on the bank with his little brother, about the same age, and slipped into the water, which was about ten feet deep. The body was recovered thirty minutes afterward by Benjamin Cook. He was a son of Rachel Clayton, and lived in the Fifth Ward.

Coroner John D. Roe and a jury held an inquest and returned a verdict of accidental drowning.

Hox C. N. BUCKLER, formerly of Mt. Oliver, has been elected Judge of El Paso county, Texas.

Mrs. H. C. ASHTON of Flemingburg is attending the Southern Baptist Convention at Augusta, Ga.

HENRY P. GAULT of Maysville, who has been at College Hill, O., for several weeks, expects to return home shortly.

Miss ELIZA RAK, aged 16, was fatally scalded at Hopkinsville by a kettle of boiling water being overturned on her.

ALBERT MASTERS was killed at Valley View, Madison county, by jumping from a buggy and striking his head against the ground.

J. W. YERKES is in Chicago discharging duties incumbent upon him as one of Kentucky's Commissioners of the World's Fair.

It is reported that not less than one thousand horses have been killed by the stings of Buffalo gnats in Western Kentucky.

Mrs. DR. ROBERT PEPPER, formerly of this city, recently entertained the Thalian Club at her handsome home in Huntington, W. Va.

ROBERT WHITNEY was found guilty of burning Patton's Flouring Mill at Catlettsburg, and the jury fixed his punishment at six years in the penitentiary.

CHARLES L. BROWN has been appointed General Freight and Passenger Agent for the Elizabethtown, Lexington and Big Sandy, and the Ohio and Big Sandy Railroads at Lexington.

ONE of the county bridges across the Cumberland river at Pineville collapsed during a storm. The bridge was a handsome structure. It cost \$17,000, and a span of 300 feet, and had been completed only about a year.

THE St. Lawrence, with Captain Alec Calhoun at the helm, pulled out for Cincinnati yesterday morning with a big party and Hauck's Red and Brass Band. Numbers were added on the way, and they went into Cincinnati "loaded to the guards."

MATTHEW D. HUME, the oldest man in Clark county, died a few days ago, aged 89. He owned 2,500 acres of land in the heart of the Bluegrass region. He was grandfather of M. Hume Clay, who forged his name to over \$100,000 of notes for which Clay is now serving a term in the penitentiary.

AND ROW THE LEDGER has a photograph of Colonel Leonidas Metcalfe, so the curiously inclined can see pictures of both Mr. Cato and Colonel Metcalfe by calling at the office. The photograph was kindly loaned by Mr. Hamlet C. Sharp, whose father was a warm friend of Metcalfe, and to whom the picture belonged.

WHILE playing with a Flobert rifle in Cynthia's Saturday B. M. Tucker's son Ray, aged 18, discharged the gun accidentally, and the ball took effect directly under the heart of Robert Polindner's son, Harold, aged 4 years, and there are but few chances for his recovery. Every well regulated family ought to furnish their children with a lot of these playthings.

IN Cincinnati Kittredge & Wilby who served as attorneys for Receiver Armstrong, the manager of the affairs of the famous Fidelity National Bank, wrecked by E. L. Harper, send the receiver for \$50,000 attorneys' fees. A long trial has been made before Judge Hunt, of the Superior Court, and a verdict awarded for \$18,000, with interest, making the total about \$20,000.

THE Board of Health at Ashland has resigned in a body. The salary of the physician was \$1 an hour when engaged; the City Council cut it down to 50 cents, and the Doctor quit. Then the Health Board had to raise it to \$8 before they could get another Doctor. Again the Council cut the price to 50 cents, and the whole shooting match stopped down and out. Of course this is all on account of the McKinley Tariff.

### WHO WILL CARRY THE MAILS.

List of the Star Routes From Maysville Office, With Time Schedules.

Beginning July 1st 1892, and continuing until June 30th, 1893, the "star route" mails leaving the Maysville Postoffice will be carried as follows:

Maysville to Mt. Carmel—J. Melton, contractor, Marietta, Mo.; leaves Maysville daily except Sunday at 2 p. m., arriving at Minerva by 6 p. m.; leaves Minerva daily except Sunday at 7 a. m., arriving at Maysville by 10:30 a. m. Maysville to Mt. Olive—J. L. Yaden, contractor, London, Ky.; leaves Maysville daily except Sunday at 2 p. m., arriving at Minerva by 6 p. m.; leaves Mt. Olive daily except Sunday at 7 a. m., arriving at Maysville by 10:30 a. m. Maysville and Minerva—J. L. Melton, contractor, Marietta, Mo.; leaves Maysville daily except Sunday at 2 p. m., arriving at Minerva by 6 p. m.; leaves Minerva daily except Sunday at 7 a. m., arriving at Maysville by 11 a. m. Maysville to Augusta—Maurice F. Coughlin, contractor, Germantown, Ky.; leaves Maysville daily except Sunday after arrival of train from Cincinnati, but not later than 3 p. m., arriving at Brookville in five hours; leaves Brookville at 6:45 a. m., arriving at Augusta by 8:45 a. m.; leaves Augusta at 1:30 p. m., arriving at Brookville by 3 p. m.; leaves Brookville at 6 a. m., arriving at Maysville by 11 a. m. Burtonville and Maysville—J. B. Colgrove, contractor, Washington, D. C.; leaves Burtonville daily except Sunday at 6 a. m., arriving at Maysville by 10 a. m.; leaves Maysville at 2 p. m., arriving at Burtonville by 6 p. m.

The assessed valuation of thoroughbred stallions in Mason county is \$3,450.

STUART, eldest son of Colonel Bennett H. Young of Louisville, will soon wed Miss Mary Frazier of Cynthia.

AT Owenton a gun exploded in the hands of Ed Frederick, destroying his eyesight and probably fatally injuring him.

A. L. THOMAS, a prominent farmer living near Winchester, O., was probably fatally injured by being thrown from a runaway horse.

THE management of Pike's Opera-house, Cincinnati, contemplate extensive and expensive alterations during the summer vacation.

AT Nicholasville the safe of the Star Building company blowing down open and \$100 taken. The robbers are supposed to have been from Cincinnati.

PRESIDENT M. E. INGALLS of the C. and O. Railroad is going to reside in Washington City. He has selected a beautiful home on Sixteenth street.

IN an appraisal of the stock belonging to the Green Glass Mosaic, it was settled that the Mordecai Brewing Company, Cincinnati, was capitalized at \$50,000.

MRS. M. HARBOR was thrown from a carriage in a runaway at Richmond, and her recovery is doubtful. She is one of the most prominent ladies in Madison county.

AT Erlanger Major Hendrix, a Tennessee soldier, killed his own child, aged four months, and severely wounded Mrs. Gilchrist, a colored woman who interfered in behalf of the child.

FELIX FLANNERY and D. C. Carroll, Postmaster and Assistant Postmaster, respectively, at Alpharetta, are in the hands of Uncle Sam and jail for going cahoots in robbing the mails.

ABOUND Winchester, O., the farmers have bought about \$100 worth of jimson seed, paying seventy-five cents an ounce for it. A slick-toned chap made 'em believe it was onion eggs.

THE Newspapers certainly have not been reading the Legislative reports, else they must be a brave people. The last issue of THE Journal contains the advertisements of six new incorporations.

Who said the railroad would kill river business? The steamboats are just putting on their running clothes. The Big Sandy a few days ago made the trip from Madison to Louisville in four hours, making two landings.

IN Louisville Policeman Schaeffer charges Policeman Cross with criminally assaulting his young wife of three weeks. At the Chief Postmaster is investigating the case of the accused Policeman. This is strictly a Police item.

Tax Board of Equalization has completed the work of fixing the assessments for the counties of the state. The result shows the total assessed valuation of property to be \$544,708,000, an increase of \$10,405,619 over last year.

### MASON COUNTY COURT MATTERS.

### FIRST KNOCKOUT BY THE BANK.

Gleanings From the Pages of Hon. Thomas E. Painter's Daily Becket.

The Suit of the State National Against R. H. Ellison at Cincinnati.

Administration upon the estate of John E. Hunter was granted to Lizzie M. Hunter, with William Hunter as surety. T. Ashbury, Leslie Mennen and Dr. E. C. Dimmitt were appointed appraisers.

Gray & Co. were granted license to retail spirits, wines and malt liquors at their place of business, corner of Market and Front streets.

The following settlements held over from last term were ordered to be recorded:

George Gamly guardian of Bessie, George Oscar and Harry Banks.

James H. Sallee guardian of Bertha, Gertrude and Lorena Haver.

O. L. Cracraft guardian of John W. Myrtle and Jonas Cracraft.

A. Stiles and H. D. Watson, guardians of Mary M., William H. and Lulu B. Howard.

W. E. Stallcup trustee of F. B. Miller & Co.

O. N. Weaver and J. M. Byar, executors of James M. Hiest.

G. T. and W. Bateman, executors of N. B. Bateman.

C. B. Pearce, Jr., and John Daley, assignees of E. P. Forman.

John L. Broshars administrator of Thomas and Julia Bowers.

A. M. J. Cochran guardian of Hattie A. Mennen.

The following settlements were filed and ordered to lie over until the next term of Court for exceptions:

W. C. Pelham administrator of Frances Cobb.

E. D. Pickett administrator of J. G. Bacon.

John W. Alexander administrator of George W. Brown.

Robert M. Owens administrator of Elizabeth Owens.

H. L. Newell executor of Hans Newell. C. J. Arthur guardian of William H. Cole.

YESTERDAY Marshal Hefflin arrested a fellow named Grady for robbing a colored man at Manchester. He will be sent there to-day.

THE members of Friendship Lodge, D. of R., will have a social meeting at the residence of Mrs. William Dersch at 7 o'clock this evening.

CAPTAIN M. C. HUTCHINS has secured for Charles L. Overley a pension of \$12 month from February 14th, 1891, and an increase from March 1890 to \$12 a month from July 16th, 1890.

THERE will be work at the meeting of Mason Lodge No. 342 to-night, and the vote will also be taken for the tax for the Widows and Orphans' Home. A full attendance is desired!

ALL the necessary arrangements for a Keeley Cure Institute have just been completed here. Headquarters will be in the Cox Building, and the Medical Staff will be composed of Drs. T. E. Pickett, J. A. Reed and C. C. Owens.

Native Maysvillians Dead.

Died in Baltimore, Md., May 7th, 1892, John Armstrong Collins Lee, son of the late Richard Henry Lee and Eliza Armstrong. He was a native of Maysville, and was a highly respected citizen.

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In the case of the State National Bank of Maysville, Ky., vs. R. H. Ellison et al.,—on trial before Judge Sage at Cincinnati,—which is upon a creditor's bill to set aside mortgages of real estate alleged to be fraudulent, subject to the property to the payment of the complainant's claim, which amounts to about \$5,000, it appears from the bill that, on the 14th of October, 1889, Ellison, being insolvent, made an assignment under the insolvency laws of Ohio to his codefendants, T. J. Shelton, W. A. Blair and W. H. Pownall, and the assignment was filed in the Probate Court of Adams county on the same day, and the assignees qualified as such.

On the 18th of October, 1889, Ellison made a composition agreement to take effect upon its signature by ninety per cent. of his creditors, by the terms of which twenty per cent. of the indebtedness of the creditors signing the agreement were to be paid in six months, forty per cent. in twenty-four months, and forty per cent. in thirty-six months from November 1, 1889, with four per cent. interest. The complainant did not sign this agreement, nor did they file any claim in the Probate Court. It appears from the bill that nothing was done in the Probate Court under the assignment subsequent to the qualification of the assignees, who were by the terms of the composition agreement made trustees to the creditors who agreed to sign it. Ellison and wife executed to them mortgages upon all their real estate to secure the performance of the composition agreement, upon which twenty per cent. has been paid, and will soon be forty per cent. more is about to be paid exclusively to the creditors who have signed the agreement. The bill sets up that the mortgages are fraudulent, and prays that they be set aside and the property applied to the payment of the complainant's claim.

The defendants filed a general demurrer upon the ground, first, that it appears from the bill that the complainant's claim had not been reduced to judgment when the bill was filed; second, that the Probate Court of Adams county has exclusive jurisdiction by virtue of the assignment over the lands in the mortgage; third, that under the Ohio statutes the relief prayed for cannot be granted; and the proceeds of the lands, if the mortgages be set aside, must be applied to the payment of the creditors generally.

Judge Sage overruled the first objection upon the authority of Case vs. Beauregard, 100 U. S. 888, and while recognizing the general rule that a creditor's bill can only be maintained after judgment has been recovered for the debt, execution issued and returned nulla bona, said that after all, the judgment and fructus execution is the only evidence that the complainant of an execution would be of no practical utility, neither judgment nor execution is a necessary prerequisite.

The second objection was held to be invalid, for the reason that in Smith Midway vs. Parfitt, 100 U. S. 888, 890, 139 U. S. 240, the objection to the jurisdiction of the Circuit Court of the United States that the Probate Court had exclusive jurisdiction, could not be sustained, because, upon the allegations of the complaint, it was shown that the complainant had been doing in that Court before the commencement of the suit except to file the voluntary assignment and to qualify the assignees, which is true in this case. The bill says that the Circuit Court had jurisdiction of a bill by citizens of other states who have not become parties to the proceedings in the State Court to set aside the mortgage as fraudulent or invalid as against them. That case, the court said, was all that was in issue at bar. As to the third objection, the Court said that the effect of a decree setting aside the mortgages as fraudulent, and the question whether the complainant could have the proceeds applied first to the payment of its claim, were not now before the Court, and could not be considered, but it might be stated that, while the proceedings would be according to the practice of this court in equity, the rights of all parties concerned would be admitted by the dispenser, in the provisions of the Ohio statutes.

G. Bamback & Son for complainant; John W. Heron for defendants.

A Teaching Lesson.

When Mrs. Lucie Overley died she left a prattling child. After the body had been prepared for burial, and while loving ones were watching over it, the little tot approached the bier and innocently inquired, "Is my mamma asleep?"

H. B. C. Grogan, brother of Mrs. Varian, was so touched by the occurrence that he took a scrap of paper from his pocket and pencilled these beautiful lines:

"Is my mamma asleep?" the little one asked  
As she stood by the side of the bier.  
And, wondering, gazed on the face of the  
One on the face of the mother who would never  
The beams of her love upon her.

"I want to kiss mamma," the little one said,  
As she stood by the side of the bier.  
But there came no response where so oft,  
For the little one's mother is resting  
And the beams of her love upon her.

Tux Kentucky State Mt. Will meet at Frankfort next

Society





